

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Section 73.202(b))	
Table of Allotments,)	
FM Broadcast Stations.)	
(Adams, Massachusetts))	MB Docket No. 04-357
)	RM- 11076
)	
(Ashtabula, Ohio))	MB Docket No. 04-358
)	RM- 11071
)	
(Crested Butte, Colorado))	MB Docket No. 04-359
)	RM-11072
)	
(Lawrence Park, Pennsylvania))	MB Docket No. 04-360
)	RM-11073

**REPORT AND ORDER
(Proceeding Terminated)**

Adopted: February 16, 2005

Released: February 18, 2005

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division has before it a multiple docket *Notice of Proposed Rule Making* setting forth separate proposals to amend the FM Table of Allotments, Section 73.202(b) of the Commission's Rules.¹ The petitioner for each proposal has filed comments reiterating its interest in the channel and has stated that it will apply for each requested channel, if allotted. No other comments or counterproposals were filed.

2. This is a multiple docket *Report and Order* issued in response to a Commission *Public Notice* released October 2, 1998 (DA 98-1987). We are combining separate FM allotment proposals into a single *Report and Order*. Each proposal has its own docket and rule making number and the Commission's Reference Information Center will maintain a separate file for each docket. As discussed in the *Public Notice*, this procedure will conserve Commission resources and expedite the processing of FM allotment petitions for rule making by avoiding duplicative actions. We discuss the following proposals:

A. MB Docket No. 04-357; RM-11076

**Petitioner: Dana J. Puopolo
2134 Oak Street, Unit C
Santa Monica, California 90405**

¹ 47 C.F.R. § 73.202(b).

Determination: Allot Channel 255A at Adams, Massachusetts, as that community's first local aural transmission service, and modify the site for vacant Channel 255A at Rosendale, New York, to a location closer to the center of the community to accommodate the site for Channel 255A at Adams.

Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303 (g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED That effective April 4, 2005, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED, with respect to the community listed below, to read as follows:

<u>Community</u>	<u>Channel</u>
Adams, Massachusetts	255A
Coordinates for Channel 255A at Adams: 42-37-12 NL and 73-08-12 WL Coordinates for Channel 255A at Rosendale: 41-54-47 NL and 74-09-00 WL.	

Additional Information: Adams is a community for allotment purposes. It is an incorporated town with a 2000 U.S. Census population of 5,784 persons. A television station is also licensed to the community, WCDC-TV, which qualifies it as a community for allotment purposes.

The Channel 255A is allotted at Adams, Massachusetts with a site restriction of 1.6 kilometers (1 mile) west of the community. From this site, the channel will cover 100% of the community with a city-grade contour. Adams is located within 320 kilometers (200 miles) of the U.S. Canadian border. Thus, concurrence of the Canadian government has been received for this allotment.

A filing window period for Channel 255A at Adams, Massachusetts will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent Order.

FCC Contact: Victoria M. McCauley (202) 418-2180.

B. MB Docket No. 04-358; RM-11071

Petitioner: Dana J. Puopolo
2134 Oak Street, Unit C
Santa Monica, California 90405

Determination: Allot Channel 241B at Ashtabula, Ohio, as that community's fourth local aural transmission service.²

Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303 (g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED That effective April 4, 2005, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED, with respect to the community listed below, to read as follows:

<u>Community</u>	<u>Channel</u>
Ashtabula, Ohio	241A, 246B, 252A

² Stations WYBL(FM), WREO-FM and WFUN(AM) are also licensed to Ashtabula.

Coordinates: 41-52-38 NL and 80-47-49 WL

Additional Information: Channel 241A is allotted at Ashtabula with a site restriction of 1.5 kilometers (0.9 miles) northwest of the community and will cover 100% of the community with a city-grade contour. Ashtabula is located within 320 kilometers (200 miles) of the U.S. Canadian border. Canadian concurrence in the allotment has been received for this as a specially negotiated, short-spaced allotment to protect Station CFPL-FM, Channel 240C1, London, Ontario, Canada.

A filing window period for Channel 241A at Ashtabula, Ohio will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent Order.

FCC Contact: Victoria M. McCauley (202) 418-2180.

C. MB Docket No. 04-359; RM-11072

Petitioner: Linda Davidson
2134 Oak Street, Unit C
Santa Monica, California 90405

Determination: Allot Channel 246C3 at Crested Butte, Colorado, as that community's second local service and first local commercial transmission service.³

Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303 (g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED That effective April 4, 2005, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED, with respect to the community listed below, to read as follows:

<u>Community</u>	<u>Channel</u>
Crested Butte, Colorado	246C3

Coordinates: 38-50-42 NL and 106-54-00 WL

Additional Information: Channel 246C3 is allotted at Crested Butte at a site 8.0 kilometers (5.0 miles) east of the community. From that site the channel will cover 100% of the community with a city-grade contour.

A filing window period for Channel 246C3 at Crested Butte, Colorado will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent Order.

FCC Contact: Victoria M. McCauley (202) 418-2180.

D. MB Docket No. 04-360; RM-11073

Petitioner: Dana J. Puopolo
2134 Oak Street, Unit C
Santa Monica, California 90405

³ Station KBUT, Channel 212A is also licensed to Crested Butte.

Determination: Allot Channel 224A at Lawrence Park, Pennsylvania as that community's first local aural transmission service.

Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303 (g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED That effective April 4, 2005, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED, with respect to the community listed below, to read as follows:

<u>Community</u>	<u>Channel</u>
Lawrence Park, Pennsylvania	224A

Coordinates: 42-06-00 NL and 80-07-48 WL

Additional Information: Lawrence Park is a community for allotment purposes. It is a Census Designated Place located in northwest Pennsylvania in Erie County with a 2000 U.S. Census population of 4,048 persons. Lawrence Park was organized in 1926 by General Electric. It has its own zip code, and telephone exchanges. It has five elected town Commissioners, and police and fire departments. It has its own elementary and high schools, a church and several civic organizations. There are websites with information about the community.

This allotment requires a site restriction of 10.6 kilometers (6.6 miles) southwest of the community and will cover 100% of the community with a city-grade contour. Lawrence Park is located within 320 kilometers (200 miles) of the U.S. Canadian border. Thus, concurrence of the Canadian government has been received for this allotment. It will be a specially negotiated short-spaced allotment limited to 225 watts ERP and 100 meters HAAT to protect Station CJBX-FM, Channel 224B, London, Ontario.

A filing window period for Channel 224A at Lawrence Park, Pennsylvania will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent Order.

FCC Contact: Victoria M. McCauley (202) 418-2180.

3. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801 (a)(1)(A).

4. IT IS FURTHER ORDERED, That the aforementioned proceedings ARE TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief
Audio Division
Media Bureau